

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

OSSIE ROBERT TRADER §
VS. § CIVIL ACTION NO. 1:05cv449
T.C. OUTLAW §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Ossie Robert Trader, an inmate confined the Federal Correctional Institute at Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas corpus.

Discussion

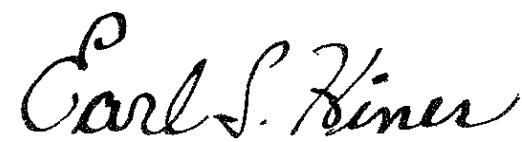
Petitioner states that in 1983, he was convicted of robbery in Philadelphia County, Pennsylvania. He states newly discovered evidence reveals the conviction was illegally obtained. While this conviction was used to increase the federal sentence he is currently serving, petitioner states he is challenging his state court conviction.

As petitioner is not challenging his current federal sentence, but is instead challenging a state court conviction from Pennsylvania, the court is of the opinion this petition should be transferred to a forum where a Pennsylvania state inmate would pursue a petition for writ of habeas corpus. Such a forum is also where all records and witnesses concerning petitioner's state conviction would be located.

Pursuant to 28 U.S.C. § 124, Philadelphia County is located in the Eastern District of Pennsylvania. As a result, this

petition will be transferred to the United States District Court for the Eastern District of Pennsylvania. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 6 day of July, 2005.


Earl S. Hines
EARL S. HINES
UNITED STATES MAGISTRATE JUDGE